

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 4:04 CR 245
)	
PLAINTIFF)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	
)	ORDER ACCEPTING PLEA
HUBERT MANIGAULT)	AGREEMENT AND JUDGMENT
)	
DEFENDANT.)	

This matter is before the Court upon the Report and Recommendation, see (Dkt. # 1141), issued by United States Magistrate Judge George J. Limbert regarding the plea hearing and the plea agreement of Hubert Manigault, which was referred to the Magistrate Judge upon the consent of the parties.

On September 29, 2004, the Grand Jury for the United States District Court for the Northern District of Ohio issued a Superceding Indictment against the Defendant charging, *inter alia* violations of 21 U.S.C. § 846 (“Count 1”). See (Dkt. # 84). The Defendant and the Government subsequently entered into a plea agreement whereby the Defendant agreed to enter a plea of guilty to violating 21 U.S.C. § 846 (“Count 1”).

The Defendant appeared before Magistrate Judge Limbert on August 3, 2005 for a change of plea hearing, represented by counsel, Attorney John P. Parker. The Defendant

thereafter entered a plea of guilty to Count 1, a violation of 21 U.S.C. § 846. Magistrate Judge Limbert received the Defendant's guilty plea and issued a Report and Recommendation recommending that this Court accept the plea and enter a finding of guilty. See (Dkt. # 1141).

Neither party objected to the Report and Recommendation during the ten days following its issuance.

This Court has engaged in a *de novo* review of the record and hereby adopts the Report and Recommendation. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. Consequently, this Court finds that the plea was entered knowingly, intelligently, and voluntarily.

The Court therefore approves the Defendant's plea of guilty. The Defendant is **ADJUDGED** guilty of Count 1 of the Superseding Indictment charging violations of 21 U.S.C. § 846.

IT IS SO ORDERED.

/s/ Peter C. Economus - October 3, 2005

PETER C. ECONOMUS

UNITED STATES DISTRICT JUDGE